

Response Under 37 C.F.R. 1.116

Applicant: Lizhang Yang

Serial No.: 10/687,195

Filed: October 16, 2003

Docket No.: 58829US002/M120.242.101

Title: APPARATUS AND METHOD FOR TRANSITIONING FIBER OPTIC CABLES

REMARKS

This Response replies to the Office Action mailed March 24, 2006, in which the rejection of claims 1-14 was made final. With this Response, no claims are amended. Claims 15-22 were previously withdrawn as being directed to a non-elected invention. Claims 1-14 are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 2, 6-8 and 12-14 stand rejected under 35 U.S.C § 102(b) as being anticipated by Jennings et al. (U.S. Patent No. 5,367,595).

With regard to claim 1, the Office Action alleges Jennings et al. discloses all of the limitations of the claimed invention. Specifically, the Office Action alleges Jennings et al. discloses an apparatus for arranging optical fibers, the apparatus comprising at least one channel, each channel comprising: an input zone (120, 142) for holding a plurality of fiber optic cables (14), each cable having at least one optical fiber (35); a transition zone (140) adjacent to the input zone; an output zone (136) adjacent to the transition zone, the output zone comprising at least one slot (126), each slot having a maximum width that is equal to a multiple of the optical fiber diameter plus one half optical fiber diameter.

In the Amendment filed on December 27, 2005, Applicant argued that Jennings et al. fails to teach “the apparatus comprising at least one channel, *each* channel comprising: an input zone for holding a *plurality* of fiber optic cables,” (emphasis added). Applicant further argued that Jennings et al. fails to teach “the transition zone configured to contain all of the optical fibers of the plurality of fiber optic cables in a common space.” In response to Applicant’s arguments, the Office Action makes specific reference to FIG. 5 of Jennings et al., alleging that outer member (112) forms the claimed channel, and that the alleged member/channel (112) of Jennings et al. “clearly has a plurality of input fibers inserted into the cavity (120) at the input area of the channel.” (Office Action, paragraph 3). The Office Action further alleges that FIG. 5 of Jennings et al. “clearly discloses the channel member (112) having a transition zone (140) that houses all the optical fibers within a common space.” (Office Action, paragraph 3).

Applicants respectfully disagree with the characterization of Jennings et al. as set forth in the Office Action, and respectfully reassert that Jennings et al. fails to show each and

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every feature of claim 1. As set forth at col. 5, lines 16-19, Jennings et al. clearly states that the fiber optic connector comprises outer member 112 *and* inner wedge members 118.

Applicants submit that the Office Action improperly considers only the outer member 112 of the fiber optic connector 110 of Jennings, while ignoring wedge members 118 which are necessary to complete the connector 110. In the absence of wedge members 118, the connector 110 of Jennings et al. will not function for its intended purpose. Applicants respectfully submit that it is improper to omit wedge members 118 when characterizing the connector 110 of Jennings et al.

As clearly seen in FIGS. 9 and 10 of Jennings et al. (taken along lines 9-9 and 10-10, respectively, of FIG. 5), the connector 110 (comprising outer member 112 and wedge members 118) includes multiple channels. However, each channel of Jennings et al. is configured to hold only a *single* fiber optic cable, in contrast to the *plurality* of fiber optic cables set forth in claim 1 of the present application. Jennings et al. makes no teaching or suggestion that a plurality of fiber optic cables may be held in each channel. In addition, FIGS. 9 and 10 of Jennings et al. teach the optical fibers are maintained in *separate* passages until merging into the common slot at the face of the device (see, for example, slot 34 in Figs. 1-3, and slot 124 in Figs. 5-10). For at least these reasons, Applicants respectfully submit that Jennings et al. fails to teach or suggest at least “the apparatus comprising at least one channel, each channel comprising: an input zone for holding a plurality of fiber optic cables” and “the transition zone configured to contain all of the optical fibers of the plurality of fiber optic cables in a common space” as set forth in independent claim 1. Accordingly, withdrawal of the rejection of claim 1 under 35 U.S.C. §102(b) is respectfully requested.

Claims 2, 6-8 and 12-14 depend, either directly or indirectly, from independent claim 1 which is in allowable condition for at least the reasons set forth above. Accordingly, dependent claims 2, 6-8 and 12-14 are also in allowable condition at least by reason of their dependency from claim 1, and withdrawal of the rejection under 35 U.S.C. §102(b) is respectfully requested.

Claim Rejections under 35 U.S.C. § 103

Claims 3-5 and 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Jennings et al. (U.S. Patent No. 5,367,595).

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The rejections under 35 U.S.C. §103(a) are respectfully traversed. Dependent claims 3-5 and 9-11 depend from independent claim 1, which is in allowable condition for at least the reasons discussed above. Because Jennings et al. fails to teach or suggest all of the limitations of claim 1, dependent claims 3-5 and 9-11 are also allowable at least by reason of their dependency from an allowable independent claim. Accordingly, for at least this reasons, withdrawal of the rejections under 35 U.S.C. §103(a) is respectfully requested.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-14 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-14 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(h)(i). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 50-0471.

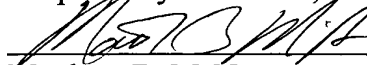
The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application. Any inquiry regarding this Amendment and Response should be directed to either Matthew B. McNutt at Telephone No. (612) 767-2510, Facsimile No. (612) 573-2005, or Gregg Rosenblatt at Telephone No. (512) 984-7443, Facsimile (512) 984-2020. In addition, all correspondence should continue to be directed to the following address:

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Respectfully submitted,




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CERTIFICATE UNDER 37 C.F.R. 1.8: The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service, as first class mail, in an envelope address to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 23rd day of May, 2006.

By


Name: Matthew B. McNutt